IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Michael TOVEY   Conf.:   8091

Appl. No.:   10/727,569   Group: 1645

Filed: December 5, 2003   Examiner: UNKNOWN

For: TRANSCRIPTIONAL REGULATOR OF GENES INVOLVED IN
              THE CONTROL OF CELL GROWTH OR CELL
              PROLIFERATION. USE OF SAID REGULATOR AS A
              THERAPEUTIC OR DIAGNOSTIC AGENT

THIS IS NOT A NEW PATENT APPLICATION

LETTER SUBMITTING DOCUMENTS
FOR COMPLETION OF AN APPLICATION
PURSUANT TO 37 C.F.R. § 1.53(f) and/or § 1.53(d)

MS MISSING PARTS
Commissioner for Patents   September 28, 2004
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The application papers for the above-identified application were originally filed on December 5, 2003, and the application was assigned Application No. 10/727,569.

On March 8, 2004, the Declaration and Power of Attorney form was filed. However, upon further review of our file, it appears that the second page of the Declaration and Power of Attorney form may have accidentally been attached to the Assignment that was filed on the same day. Accordingly, attached hereto is a complete copy of the Declaration and Power of Attorney form for the above-identified application.

A Notice to File Missing Parts of Non-Provisional Application has not issued. The $130.00 surcharge for late-filing of the Declaration was paid on March 8, 2004. A copy of the date-stamped postcard indicating receipt of the documents and fee on March 8, 2004, is attached hereto. Therefore, Applicants submit that no additional fees are required.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By
Gerald M. Murphy, Jr., #28,977

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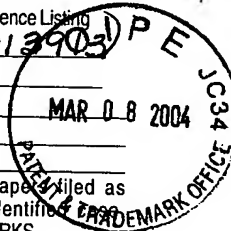
GMM/las
2121-0179P

Attachment(s)

(Rev. 02/12/2004)

2

Papers Filed herewith on: __March 8, 2004__

DOCKET NO.: __2121-0179P__ ATTY: __Gmm__

APPLICANT(S): __Michael TOVEY__

APPLN. NO: __10/727,569__ FILED: __December 5, 2003__

PAT NO.: _____

☐ New Application with Transmittal Letter

☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional

☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV

☐ Filing Under 37 CFR 1.114(RCE)

☐ Specification Consisting of: _____ pages

☐ Combined Declaration & Power of Attorney

☐ Assignment / Cover Letter

☐ Letter to Official Draftsman

☐ Drawings ____ Sheets ☐ Formal ☐ Informal ☐ Red-Ink

☒ Completion of Filing Requirements, PCT/DO/EO/905
   or Formalities Letter and Executed Declaration

☐ Priority Document(s) / Cover Letter, No. Doc. _____

☐ Amendment: _____

   ☐ Transmtl Ltr ☐ Large Entity ☐ Small Entity

☐ Response _____

☐ Information Discl Stmnt. PTO-1449(s) _____ doc(s)

   ☐ PTO / ISA / 210

☐ Notice of Appeal   ☐ Appeal Brief

☐ Issue Fee Transmittal   ☐ Sequence Listing

☒ FEES: $130.00 (CKN 9013905)

☐ Letter: _____

☐ Other: _____

_____

_____

Receipt is hereby acknowledged of the papers filed as
indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS

Due Date: _____

Handcarry: _____

DOCKET NO. __2121-0179P__